

Attorney Docket No. DIVER1380-1

Applicant: Jay M. Short

Serial No.: 09/529,458

Filed: April 13, 2000

Title: SCREENING FOR NOVEL COMPOUNDS WHICH REGULATE BIOLOGICAL INTERACTIONS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§ 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN

DIVERSA CORPORATION

ADDRESS OF CONCERN

10665 Sorrento Valley Road, San Diego, CA 92121

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121.3-18 and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **SCREENING FOR NOVEL COMPOUNDS WHICH REGULATE BIOLOGICAL INTERACTIONS** by inventor Jay M. Short described in:

☐ the specification filed herewith

☒ U.S. Patent Application Serial No. 09/529,458, filed April 13, 2000.

☐ Patent No. _____, issued _____

I authorize and request insertion of the serial number of the application when officially known.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. §1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 C.F.R. §1.27).

Full Name _____

Address _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Full Name _____

Address _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. '1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

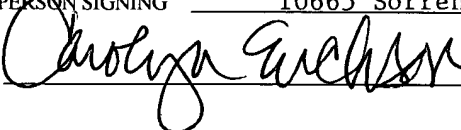
Carolyn Erickson

TITLE OF PERSON OTHER THAN OWNER Vice President, Intellectual Property

ADDRESS OF PERSON SIGNING

10665 Sorrento Valley Road, San Diego, CA 92121

SIGNATURE



DATE May 9, 2000

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SCREENING FOR NOVEL COMPOUNDS WHICH REGULATE BIOLOGICAL INTERACTIONS, the specification of which

_____ is attached hereto.

X was filed on April 13, 2000 as U.S. Application Serial No. 09/529,458 (the "Application") (Docket No. DIVER1380-1).

I hereby authorize and request insertion of the application serial number of the Application when officially known.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/062,073</u>	<u>October 15, 1997</u>
(Application Serial No.)	(Filing Date)

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all

information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the Application:

PCT/US/98/21895 10/15/98 Published WO 99/19518
(Application Serial No.) (Filing Date) (Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Jay M. Short

Inventor's signature: 

Date: 5/10/00

Residence: Rancho Santa Fe, CA 92067 CA

Citizenship: USA

Post Office Address: 6801 Paseo Delicias
Box 7214
Rancho Santa Fe, CA 92067-7214

In re Application of:)
Jay M. Short)
Application No.: 09/529,458)
Filed: April 13, 2000)
For: SCREENING FOR NOVEL)
COMPOUNDS WHICH REGULATE)
BIOLOGICAL INTERACTIONS)
_____)

POWER OF ATTORNEY BY ASSIGNEE

As a below-named assignee of the above-identified application ("Application"):

I hereby appoint the following attorneys of the assignee to prosecute the
Application and to transact all business in the United States Patent and Trademark Office
connected therewith:

JOSEPH R. BAKER
TIM ELLIS
LISA A. HAILE
WILLIAM N. HULSEY, III
RICHARD J. IMBRA
SHEILA R. KIRSCHENBAUM
JUNE M. LEARN
TIMOTHY W. LOHSE
TERRANCE A. MEADOR
JOHN OSKOREP
STEPHEN E. REITER
STEVEN R. SPRINKLE
RAMSEY R. STEWART
DAVID R. STEVENS
BARRY N. YOUNG

Registration No. 40,900
Registration No. 41,734
Registration No. 38,347
Registration No. 33,402
Registration No. 37,643
Registration No. 44,835
Registration No. 31,238
Registration No. 35,255
Registration No. 30,298
Registration No. 41,234
Registration No. 31,192
Registration No. 40,825
Registration No. 38,322
Registration No. 38,626
Registration No. 27,744

In re Application of:
Jay M. Short
Application No.: 09/529,458
Filed: April 13, 2000
Page 2

PATENT
Attorney Docket No.: DIVER1380-1

I hereby authorize and request insertion of the application number of the
Application when officially known.

Direct all telephone calls to:

LISA A. HAILE, PH.D.
Telephone: (858) 677-1456

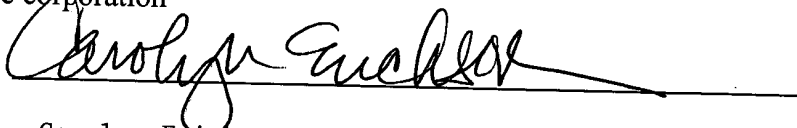
Address all correspondence to:

LISA A. HAILE, PH.D.
GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1600
San Diego, CA 92121

DIVERSA CORPORATION

a Delaware corporation

By:



Name:

Carolyn Erickson

Title:

Vice President, Intellectual Property

Date:

May 9, 2000